

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12/C
7-14-00
D. Lowe

Serial No.: 09/234,532

Group Art
Unit: 1623

Filing Date: 1/21/99

Examiner: Howard Owens, Jr.

Inventor: Dr. Alfred T. Sapse



PRELIMINARY AMENDMENT
TO PATENT APPLICATION

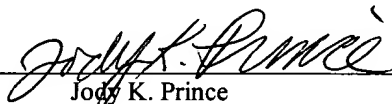
Title: COMPOSITION OF ANTI-HIV DRUGS AND ANTI-CORTISOL
COMPOUNDS AND METHOD FOR DECREASING THE SIDE EFFECTS OF
ANTI-HIV DRUGS IN A HUMAN

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8 (A)

Date of Deposit: July 3, 2000

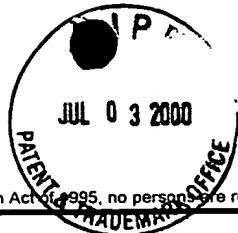
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to Box Non-Fee Amendment Assistant Commissioner for Patents, Washington, D.C. 20231.


Jody K. Prince

Dear Sir:

The following preliminary amendment and remarks are in response to the Examiner's Advisory Action mailed on May 30, 2000. Applicant hereby requests continued examination and reconsideration of the application, in view of the following amendments and remarks.

07/03/00
JCS04 U.S. PRO



07-05-00

GAU1623 CPA: \$11
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Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:
☐ DUPLICATE

Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	SAP 1398-002C
	First Named Inventor	Sapse
	Examiner Name	Howard Owens, Jr.
	Group I Art Unit	1623
	Express Mail Label No.	EL039916739US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 09 / 234,532 filed on January 21, 1999, entitled COMPOSITION OF ANTI-HIV DRUGS AND ANTI-CORTISOL COMPOUNDS AND METHOD FOR DECREASING THE SIDE EFFECTS OF ANTI-HIV DRUGS IN A HUMAN

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either - (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U. S. C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U. S. C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U. S. C. 120 and to every application assigned the application number identified in such request, 37 C. F. R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.

2. ☒ A preliminary amendment is enclosed.

3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4) the following inventor(s) named in the prior nonprovisional application:
_____ 345.00 OP _____

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. Information Disclosure Statement (IDS) is enclosed:
a. ☐ PTO-1449
b. ☐ Copies of IDS Citations

07/06/2000 SLU ANG1 20100006919274531
01 FC:231

RECEIVED
JUL 08 2000
CENTRAL 1600/2900

RECEIVED
JUL 10 2000
CENTRAL 1600/2900

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS 1. 1 6(c) or 0))	10 -20 =	0	x \$ _____ :	
	INDEPENDENT CLAIMS 16(b) or (i))	2 -3** =	0	x \$ _____ :	
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			+ \$ _____ :	
				BASIC FEE (37 C.F.R. §1.18)	690
	Total of above Calculations =				690
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).				345
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent.				TOTAL = 345

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
 b. ☒ A small statement was filed in the prior nonprovisional application and such status is still proper and desired.
 c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 19-4076

- a. ☐ Fees required under 37 C.F.R. § 1.16.
 b. ☐ Fees required under 37 C.F.R. § 1.17.
 c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☒ A check in the amount of \$345 is enclosed.9. ☒ New Attorney Docket Number, if desired SAP 1398-002C

(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

10 a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)11. ☐ Other: _____

NOTE: The prior application's correspondence address will carry over to this CPA
 UNLESS a new correspondence address is provided below.

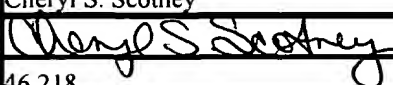
12. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Labelor ☒ New correspondence address below

(insert Customer No. or Attach bar code label here)

Name	Cheryl S. Scotney				
Address	Standley & Gilcrest LLP 495 Metro Place South, Suite 210				
City	Dublin	State	Ohio	Zip Code	43017-5319
Country	USA	Telephone	(614) 792-5555	Fax	(614) 792-5536

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Cheryl S. Scotney
Signature	
Registration No. (Attorney/Agent)	46,218
Date	07/03/2000